

CRC, 2/13/2003

Draft - 23 May 1955

The Honorable William L. Dawson
Chairman, Committee on Government Operations
U. S. House of Representatives
Washington 25, D. C.

Dear Mr. Chairman:

This is in reply to your letter of 10 February 1955, requesting our comments on H. R. 3755, a Bill "To amend the Federal Property and Administrative Services Act of 1949, as amended, and for other purposes".

Insofar as the Central Intelligence Agency is concerned, it is our opinion that the Director already possesses the authority to destroy any intelligence records in times of such emergencies as are contemplated in H. R. 3755 by virtue of the authority granted under Section 102(d)(3) of the National Security Act of 1947 (P. L. 253 - 80th Congress), which states "that the Director of Central Intelligence shall be responsible for protecting intelligence sources and methods from unauthorized disclosure." This authority would certainly appear to cover a situation where there is a possibility that classified intelligence records might fall into hostile hands.

Furthermore, Section 502(d)(17) of the Federal Property and Administrative Services Act of 1949 provides that nothing in that Act shall impair or affect any authority of the Central Intelligence Agency. Therefore, as far as this Agency is concerned H. R. 3755 would be in addition to the legal authority which we presently possess.

Under present world conditions, however, it would appear to be highly desirable that Government officials be clothed with the

authority contemplated by H. R. 3755, so that documents in the general field of the national security could be destroyed when there is imminence of hostile action at the place where such records are located.

Sincerely,

Allen W. Dulles
Director